

June 26, 2019



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 20816

**EXPIRATION DATE: 2021-05-31**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Air Products and Chemicals, Inc.  
Allentown, PA
2. PURPOSE AND LIMITATIONS:
  - a. This special permit authorizes the manufacture, mark, sale and use of certain non-specification portable tanks conforming to all regulations applicable to a T75 UN Portable Tank except they are built to ASME Section XII specifications and are marked with a "T" stamp. The portable tanks, mounted in ISO frames, are authorized for the transportation in commerce of the materials authorized by this special permit. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
  - c. In accordance with 49 CFR 107.107(a) party status may not be granted to a manufacturing permit. These packagings may be used in accordance with 49 CFR 173.22a.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 178.274 and 178.277 in that the portable tanks are built to ASME Section XII instead of ASME Section VIII Division 1; and § 177.834(h) in that the portable tank(s) can be unloaded while on the transport motor vehicle.
5. BASIS: This special permit is based on the application of Air Products and Chemicals, Inc. dated December 13, 2018, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Hydrogen, refrigerated liquid (cryogenic liquid)	2.1	UN1966	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Packagings authorized are non-specification portable tanks conforming to all regulations applicable to a T75 UN Portable Tank except that they are built to the 2017 edition of ASME Section XII, including all applicable code cases and appendices. Portable tanks and corresponding ISO frames must be manufactured in accordance with Gardner Cryogenics drawing 28733B Rev A, dated August 27, 2018, and calculations on file with the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD). Portable tanks must be ASME marked with a "T" designator, and must conform to the requirements for T75 Specification UN Portable Tanks (§§ 178.274 and 178.277) except as follows:

(1) Portable tanks must be designed, constructed, certified, and stamped in accordance with ASME Section XII.

(2) The marking requirements of ASME Section XII must be met in lieu of Section VIII.

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b. OPERATIONAL CONTROLS:

(1) Portable tanks unloaded while on the transport vehicle must meet the requirements of §177.834(o).

(2) Portable tank(s) used as a cargo tank motor vehicle (CTMV) must conform to all CTMV requirements in § 173.33.

(3) Repairs, alterations, and modifications involving welding must be performed by a facility holding a current NBIC certificate of authorization for the use of the National Board "TR" or "R" stamp.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a packaging covered by this special permit, may reoffer it for transportation provided no modification or change is made to the packaging and it is offered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

e. A current copy of this special permit must be maintained at each facility where the packaging is manufactured under this special permit. It must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

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10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
  - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) – "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator

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for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm) Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: VC/TG